

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

a. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Randi L. Karpinia on 03/17/2008 and 03/21/2008.

b. The application has been amended as follows:

***Claims***

1. (currently amended) A method of operation of an access point for supporting a first plurality of devices operating on a first frequency band and second plurality of devices operating on a second frequency band, the method comprising:

providing communication in a first transition beacon interval at the second frequency band by:

initiating a first contention free period at the first frequency, wherein the first plurality of devices remain associated with the access point during the first contention free period,

switching from the first frequency to the second frequency,

communicating with devices operating at the second frequency including transmitting multicast data and receiving and transmitting distributed coordinated function data and acknowledgements; and

providing communication in each of a first plurality of beacon intervals following the first transition beacon interval at the second frequency band, wherein each of the first plurality of beacon intervals is characterized by a beacon interval time, by:

temporarily ceasing the step of communicating with devices operating at the second frequency to initiate a second contention free period at the second frequency by signaling a contention free period beacon at the second frequency, wherein the second plurality of devices remain associated with the access point during the second contention free period,

switching from the second frequency to the first frequency,

initiating another contention free period at the first frequency,

switching from the first frequency back to the second frequency, [[and]]

communicating with devices operating at the second frequency including receiving and transmitting distributed coordinated function data and acknowledgements,

delaying the signaling of at least one of the contention free period beacons of one or more of the first plurality of beacon intervals based on a completion delay of a distributed coordinated function mode, and

reducing a beacon interval time of the one or more of the first plurality of beacon intervals following a delayed beacon interval so that an average rate of the reduced

beacon interval time and the delayed beacon interval time approaches the beacon interval time.

2. (canceled)

3. (canceled)

4. (previously presented) The method of claim 1 wherein initiating a first contention free period and initiating a second contention free period each comprise transmitting a beacon message.

5. (canceled)

6. (canceled) -

7. (canceled)

8. (canceled)

9. (canceled)

10. (canceled)

11. (canceled)

12. (previously presented) The method of claim 1, further comprising, within the first transition beacon interval, initiating a distributed coordinated function mode prior to communicating with devices operating at the second frequency by the access point.

13. (previously presented) The method of claim 12, wherein initiating the distributed coordinated function mode allows devices operating at the second frequency to transmit inbound to the access point without having to be polled by the access point.

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14. (canceled)

15. (canceled)

16. (canceled)

17. (canceled)

18. (canceled)

19. (canceled)

20. (canceled)

21. (canceled)

22. (canceled)

23. (canceled)

24. (canceled)

25. (canceled)

26. (previously presented) The method of claim 1, wherein the initiating of the contention free period within the first transition beacon interval comprises signaling a contention free period beacon at the second frequency, the method further comprising:

delaying the signaling of the contention free period beacon based on a completion delay of a distributed coordinated function mode.

27. (canceled)

28. (canceled)

29. (canceled)

30. (canceled)

31. (canceled)

32. (previously presented) The method of claim 4, further comprising:

receiving a contention free period beacon message by a communication device on the first frequency, wherein the communication device remains associated to the access point and does not initiate a distributed coordinated function mode in response to receiving the contention free period beacon message.

33. (canceled)

34. (canceled)

35. (canceled)

### **Allowable Subject Matter**

c. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, The most relevant prior art of record Landford discloses a method of operation of an access point for supporting a first plurality of devices operating on a first frequency band and second plurality of devices operating on a second frequency band, the method comprising:

providing communication in a first transition beacon interval at the second frequency band by: initiating a first contention free period at the first frequency, wherein the first plurality of devices remain associated with the access point during the first contention free period, switching from the first frequency to the second frequency, communicating with devices operating at the second frequency including and providing communication in each of a first plurality of beacon intervals following the first transition beacon interval at the second frequency band, wherein the second plurality of devices

remain associated with the access point during the second contention free period, switching from the second frequency to the first frequency, initiating another contention free period at the first frequency, switching from the first frequency back to the second frequency, [[and]] communicating with devices operating at the second frequency including receiving and transmitting distributed coordinated function data and acknowledgements (see Office Action of 11/19/2007); and Meier teaches “transmitting multicast data and receiving and transmitting distributed coordinated function data and acknowledgements”(see Office Action of 11/19/2007).

The instant invention discloses “wherein each of the first plurality of beacon intervals is characterized by a beacon interval time, by: temporarily ceasing the step of communicating with devices operating at the second frequency to initiate a second contention free period at the second frequency by signaling a contention free period beacon at the second frequency, delaying the signaling of at least one of the contention free period beacons of one or more of the first plurality of beacon intervals based on a completion delay of a distributed coordinated function mode, and reducing a beacon interval time of the one or more of the first plurality of beacon intervals following a delayed beacon interval so that an average rate of the reduced beacon interval time and the delayed beacon interval time approaches the beacon interval time.

The above features in combination with all the cited limitations of claim 1 are neither taught, suggested nor made obvious by Landford and Meier.

Claims 4,12,13,26 and 32 *are allowed based on their dependency on claim 1*

d. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-T (9 am - 7pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8566. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kwasi Karikari  
Patent Examiner.  
Art Unit 2617

**/Charles N. Appiah/**

**Supervisory Patent Examiner, Art Unit 2617**